

Remarks

Upon entry of the amendment, claim 1 will be pending. Claims 2-23 are hereby cancelled without prejudice or disclaimer. Support for newly amended claim 1 can be found throughout the specification as filed. For example, support for new claim 1 may be found at Table 1 at page 169, row 3, as indicated as "Gene No. 2;" page 8, paragraph [0027] to page 9, paragraph [0030]. Thus, no new matter has been introduced.

The Restriction Requirement

On page 2 of the Office Action mailed May 26, 2004, the Examiner has separated the claims into eight (8) groups. The Examiner contends that the inventions are independent and/or distinct, each from the other, and thus, has required an election under 35 U.S.C. § 121. *See*, Paper No. 052404, pages 2-3. The Examiner has further required election of a single polynucleotide or polypeptide sequence. *See*, Paper No. 052404, page 2, second and third full paragraphs.

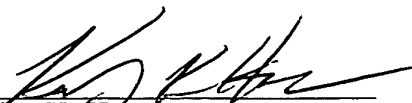
In order to be fully responsive, Applicants hereby provisionally elect Group I, encompassing claim 1, drawn to nucleic acids and compositions of SEQ ID NO:12 and clone ID HE2EB74, for further prosecution. Applicants reserve the right to file one or more divisional applications directed to the subject matter encompasses by all canceled claims.

Conclusion

Applicants respectfully request the amendments of the present response be entered and made of record in the present application. If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425.

Dated: June 25, 2004

Respectfully submitted,

By 

Kenley K. Hoover
Registration No.: 40,302
HUMAN GENOME SCIENCES, INC.
14200 Shady Grove Road
Rockville, Maryland 20850
(301) 610-5771

KKH/PF/ba